

**PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

**TRANSLATION**  
**PCT**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>3386</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/JP2005/019628</b>	International filing date (day/month/year) <b>25.10.2005</b>	Priority date (day/month/year) <b>29.10.2004</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>NIPPON TELEGRAPH AND TELEPHONE CORPORATION</b>		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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PCT/JP2005/019628

Box No. I	Basis of this opinion
<p>1. With regard to the language, this opinion has been established on the basis of:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed</p> <p><input type="checkbox"/> the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).</p> <p>2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> on paper</p> <p><input type="checkbox"/> in electronic form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed</p> <p><input type="checkbox"/> filed together with the international application in electronic form</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search</p> <p>3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p> <p>4. Additional comments:</p>	

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PCT/JP2005/019628

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																									
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>2-12, 14-24</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>1, 13</td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td></td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>1-24</td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1-24</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> </table>			Novelty (N)	Claims	2-12, 14-24	YES		Claims	1, 13	NO	Inventive step (IS)	Claims		YES		Claims	1-24	NO	Industrial applicability (IA)	Claims	1-24	YES		Claims		NO
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	Claims	1-24	NO																							
Industrial applicability (IA)	Claims	1-24	YES																							
	Claims		NO																							
<p>2. Citations and explanations:</p> <p>Document 1: JP, 2002-261817, A (Mitsubishi Electric Corp.)      Document 2: JP, 2003-163687, A (Nippon Telegraph and Telephone Corp.)      Document 3: JP, 2000-324177, A (Hitachi, Ltd.)</p> <p>(Claims 1 and 13)      Document 1 cited in the ISR discloses a technique in which a packet from a network is transmitted to a parallel line by performing load distribution.</p> <p>(Claims 2-12 and 14-24)      In addition, document 2 cited in the ISR discloses that (1) traffic over a plurality of routes in a network is classified into each group in response to the property of a packet, and (2) routes at every group are set.      Moreover, in response to what kind of the properties of the packet is used to classify at the time of classifying into each group is a mere matter of design variation that a person skilled in the art could have selected as required.      Therefore, a person skilled in the art could have easily conceived of the subject matters of claims 2-12 and 14-24 based on documents 1 and 2 cited in the ISR.</p>																										